

Robert Garcia, 1st District
Suja Lowenthal, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District



Patrick H. West, City Manager
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Gerrie Schipske, 5th District
Dee Andrews, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, Vice Mayor, 9th District

Robert E. Shannon, City Attorney

**SWEARING IN OF ROBERT GARCIA
AS THE NEW FIRST DISTRICT COUNCILMEMBER**

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

HEARINGS:

1. 09-0431 Recommendation to receive supporting documentation into the record, conclude the hearing, grant the appeal of George Romo, and overturn the Planning Commission decision to deny a Conditional Use Permit and Local Coastal Development Permit to demolish a single family home and construct a courtesy parking lot with nine parking stalls located at 1831 E. 2nd Street. (District 2)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

2. 09-0432 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit, with conditions on the application of Mark Kaake and Mary Rose Goodwin, dba Ashley's Bar & Grill, 1731 E. Fourth Street, for Entertainment Without Dancing by Patrons at an existing restaurant. (District 2)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

3. 09-0433 Recommendation to receive supporting documentation into the record, conclude the hearing and either approve or deny the Permit for May 16, 2009, with conditions, on the application of DG Boxing Enterprises, Inc., dba DG Boxing, 4901 E. Carson Street, for a permit for Boxing/Wrestling/Mixed Martial Arts. (District 5)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

Opportunity to address the City Council (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk beginning at 15 minutes prior to 5:00 p.m. Each speaker is allowed three minutes to make their comments.

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless the Mayor, City Councilmembers or the City Manager request specific items be discussed and/or removed from the Consent Calendar for separate action.

CONSENT CALENDAR: (4 - 15)

4. 09-0435 Recommendation to authorize City Attorney to submit three Stipulations with Request for Award for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay 1) \$1,995, 2) separate authority to pay \$45,950, and 3) separate authority to pay \$22,050 for the claim of Joseph Bahash in compliance with the Appeals Board Order.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

5. 09-0436 Recommendation to approve the City Council minutes for the meetings held Tuesday, April 14, 2009 and Tuesday, April 21, 2009.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

6. 09-0437 Recommendation to refer to City Attorney damage claims received between April 13, 2009 and April 27, 2009.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
7. 09-0439 Recommendation to adopt the revisions to the Police Department Records Retention Schedule (as shown in Attachment I), and rescind all previously applicable Records Retention Titles for the Police Department.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
8. 09-0441 Recommendation to authorize City Manager to execute all documents with the City of Los Angeles to receive \$80,164 in Workforce Investment Act funds; to authorize an increase to appropriations totaling \$80,164; and to execute any needed subsequent amendments. (Citywide)
Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.
9. 09-0442 Recommendation to authorize City Manager to execute all necessary agreements with the State of California to receive \$83,250 in Workforce Investment Act funds to support the Disability Program Navigator Initiative, and to execute any subsequent needed amendments. (Citywide)
Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

10. 09-0458 Recommendation to authorize City Manager to adopt the recommendations of the Homeless Services Advisory Committee for allocation of Mayor's Fund for the Homeless funds in the total amount of \$75,000 to agencies in the amounts as outlined, and to execute all necessary documents with these community agencies for the provision of services for the homeless. (Citywide)
- Office or Department:** HOMELESS SERVICES ADVISORY COMMITTEE; HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.
11. 09-0443 Recommendation to authorize City Manager to execute all necessary documents with the LA84 Foundation to accept Summer Swim 2009 grant funds for summer aquatic programs for economically disadvantaged youth at Martin Luther King, Jr. Pool, Silverado Pool, Millikan High School Pool, Jordan High School Pool, and Belmont Plaza Pool, from June 22, 2009 to August 28, 2009; and authorize City Manager to execute all necessary documents to implement and administer the grant and any amendments. (Districts 3,5,6,7,9)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
12. 09-0444 Recommendation to authorize City Manager or designee to accept an easement deed for sidewalk widening and an irrevocable offer to dedicate for street widening at 1070 East Seventh Street. (District 2)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.
13. 09-0445 Recommendation to authorize City Manager to execute a Public Walkways Occupancy Permit for sidewalk dining at Hole Mole Restaurant located at 2125 Bellflower Boulevard. (District 4)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.

14. 09-0446 Recommendation to authorize City Manager to grant easements to the County Sanitation District of Los Angeles County No. 3 (LACSD) for the improvement of sanitary sewer facilities at 6120 East Pacific Coast Highway and at 640 Ximeno Avenue. (District 3)

Office or Department: PUBLIC WORKS; PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

15. 09-0438 Recommendation to receive and file minutes for:
Civil Service Commission - April 8 and 15, 2009.
Parks and Recreation Commission - March 18, 2009.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

16. 09-0447 Recommendation to respectfully request that City Council request City Manager to examine methods that would increase parking spaces on Pine Avenue from Pacific Coast Highway to Willow Street; and request City Manager to seek community input in developing a solution to parking impact and consider diagonal parking in this neighborhood on Pine Avenue.

Office or Department: COUNCILMAN DEE ANDREWS, SIXTH DISTRICT

Suggested Action: Approve recommendation.

17. 09-0448 Recommendation that three separate votes be taken:
1. Reaffirm approval of the reuse of the entire Schroeder Hall site for an East Division Police Substation;
 2. Rescind the approval of the offsite homeless assistance accommodation at the 1-acre City's Public Health and Human Services Department-owned site; and
 3. Rescind an alternate proposal that would provide onsite homeless assistance accommodation in conjunction with an East Division Police Substation.
- Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT
- Suggested Action:** Approve recommendation.
18. 09-0454 Recommendation to adopt resolution declaring results of the City's Special Municipal Election held on April 7, 2009. (District 1)
- Office or Department:** CITY CLERK
- Suggested Action:** Approve recommendation.
19. 09-0449 Recommendation to authorize City Manager to execute any and all documents necessary for the First Amendment to Agreement No. 31079 with the Wyland Foundation for refurbishing the marine life mural, "Planet Ocean," to include an "Earth: The Blue Planet" mural on the Arena roof of the Long Beach Convention and Entertainment Center, located at 300 East Ocean Boulevard. (District 2)
- Office or Department:** COMMUNITY DEVELOPMENT
- Suggested Action:** Approve recommendation.
20. 09-0440 Recommendation to declare City-owned property located at 2075 Atlantic Avenue, Los Angeles County Assessor Identification No. 7209-001-900, as surplus property; and authorize City Manager to execute any and all documents necessary to convey the property to The Long Beach Housing Development Company. (District 6)
- Office or Department:** COMMUNITY DEVELOPMENT
- Suggested Action:** Approve recommendation.

21. 09-0450 Recommendation to adopt resolution authorizing the acquisition of tax-defaulted property, Assessor Parcel No. 7208-014-010, in the City of Long Beach from the County of Los Angeles;
- Authorize City Manager to execute a Chapter 8 Agreement and any and all documents necessary for the acquisition of the tax-defaulted property; and
- Authorize City Manager to execute all necessary documents for the conveyance of Assessor Parcel No. 7208-014-010 to The Long Beach Housing Development Company. (District 6)
- Office or Department:** COMMUNITY DEVELOPMENT
- Suggested Action:** Approve recommendation.
22. 09-0451 Recommendation to authorize City Manager to execute all documents with the State of California to accept \$6,373,593 in federal Workforce Investment Act funds as part of the American Recovery and Reinvestment Act of 2009; to authorize an increase to appropriations totaling \$2,500,000; and to execute any needed subsequent amendments. (Citywide)
- Office or Department:** COMMUNITY DEVELOPMENT
- Suggested Action:** Approve recommendation.
23. 09-0452 Recommendation to authorize City Manager to execute contracts and amendments with various training service providers outlined in Attachment A in support of the Workforce Investment Network's One-Stop Career Centers that provide employment services to adult and dislocated worker residents in the amount totaling \$616,000. (Citywide)
- Office or Department:** COMMUNITY DEVELOPMENT
- Suggested Action:** Approve recommendation.

24. 09-0453 Recommendation to approve a second amendment to the Fiscal Year 2008 - 2009 Action Plan incorporating the American Recovery and Reinvestment Act's (ARRA) Homeless Prevention and Rapid Re-Housing Program (HPRP), and authorize City Manager to (i) execute all necessary documents with the U.S. Department of Housing and Urban Development (HUD) and other entities necessary to receive HPRP funds, (ii) increase appropriations in the Community Development Grants Fund (SR 150) in the Department of Community Development (CD) by \$3,566,451, and (iii) execute all necessary documents with eligible non-profit agencies necessary for HPRP implementation. (Citywide)
- Office or Department:** COMMUNITY DEVELOPMENT; HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.
25. 09-0455 Recommendation to authorize City Manager to execute any and all documents necessary for the Lease with The Abbey Company for the installation of a retail development monument sign on a street easement adjacent to a public parking lot at the northeast corner of Atlantic Avenue and 52nd Street, for a 20-year term, at the monthly rental rate of \$100. (District 8)
- Office or Department:** COMMUNITY DEVELOPMENT; PUBLIC WORKS
- Suggested Action:** Approve recommendation.
26. 09-0457 Recommendation to adopt Specifications No. PA-01109 and award a contract to CED, dba Metropolitan Electrical Distributors, Global Access Supply, Inc., and Walters Wholesale Electric Company for furnishing and delivering electrical supplies, in the estimated total amount of \$500,000 for the period of one year, commencing June 1, 2009, with the option to renew for one additional one-year period, at the discretion of the City Manager with the option to add expenditures up to 10 percent (or \$50,000) above the contract amount, if necessary, and if funds are available. (Citywide)
- Office or Department:** FINANCIAL MANAGEMENT
- Suggested Action:** Approve recommendation.

27. 09-0459 Recommendation to adopt resolution authorizing implementation of an employee work furlough in order to generate an amount equivalent to 1.92 percent in pay (40 hours for regular, full-time employees) for all permanent City employees in Fiscal Year (FY) 2009, and include associated appropriation reductions in the second quarter budget adjustments to reflect the anticipated furlough or equivalent savings. (Citywide)

Office or Department: HUMAN RESOURCES

Suggested Action: Approve recommendation.

28. 09-0460 Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Sean David Schwenk, dba Bin 133, for an original Alcoholic Beverage Control License, at 133 The Promenade North Suite 106, with conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

29. 09-0400 Recommendation to receive and file the application of Hofs Hut Restaurants Incorporated, dba Lucilles Smokehouse BBQ, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 4828 East 2nd Street, with conditions. (District 3)

Office or Department: POLICE

Suggested Action: Approve recommendation.

30. 09-0461 Recommendation to adopt Plans and Specifications No. R-6737 for the Improvement of Atlantic Avenue Northbound Right Turn Pocket between Esther Street and Pacific Coast Highway, and authorize City Manager to execute a contract with the lowest bidder, LMT Enterprises, dba Tyner Paving Company. The estimated contract amount is \$473,217 plus a 25 percent contingency amount of \$118,304, if necessary, for a total of \$591,521, and any amendments thereto except for an increase in the contract price. (District 6)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

ORDINANCE:

31. 09-0378 Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Subsections 21.25.206.D, 21.25.407.D, 21.25.506.6, 21.25.508.A.3, and Section 21.25.400, all related to Green Building construction, read and adopted as read. (Citywide)

Office or Department: DEVELOPMENT SERVICES

Suggested Action: Approve recommendation.

NEW BUSINESS:

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Monday afternoon.

32.

33.

34.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity is given to those members of the public who have not addressed the City Council on non-agenda items. Each speaker is limited to three minutes unless extended by the City Council.

STANDING COMMITTEE REMINDERS:

Tuesday, April 28, 2009 – Budget Oversight Committee at 3:30 P.M., Council Chamber.

Tuesday, April 28, 2009 – I-710 Oversight Committee at 5:00 P.M., Council Chamber.

Monday, May 4, 2009 – Transportation and Infrastructure Committee at 5:30 P.M., Council Chamber.

Tuesday, May 5, 2009 – Economic Development and Finance Committee (Attorney/Client) at 2:30 P.M., 14th floor conference room.

Tuesday, May 5, 2009 – Elections Oversight Committee at 2:30 P.M., Council Chamber.

Tuesday, May 12, 2009 – Housing Authority at 4:30 P.M., Council Chamber.

HEARING REMINDERS:

Tuesday, May 19, 2009 – Hearing for Sam Sengchan, dba Dragon Sea, for a Permit for Entertainment with Dancing by Patrons at 1223 E. Anaheim. (District 6)

Tuesday, May 19, 2009 – Hearing for 2706 South Street, LLC, dba Ajas, for appeal of revocation of Business License Nos. BU20408690, BU20408700 and BU20406050 at 2706 South Street. (District 9)

Tuesday, May 19, 2009 – Hearing for adoption of the 2008-2014 Housing Element. (Citywide)

NOTE:

An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802.

The City Council agenda and supporting documents are available on the Internet at www.longbeach.gov. Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach E-Notify System at <http://www.longbeach.gov/enotify/default.asp>.

Agenda items may also be reviewed in the City Clerk Department or online at the Main Library and at the Branch Libraries.

If language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the City Clerk Department at (562) 570-6101, by 12 noon Monday, the day prior to the Council meeting.

E-Mail correspondence regarding agenda items can be directed to cityclerk@longbeach.gov.

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